

1 COOLEY LLP  
MICHAEL G. RHODES (116127) (rhodesmg@cooley.com)  
2 WHITTY SOMVICHIAN (194463) (wsomvichian@cooley.com)  
KYLE C. WONG (224021) (kwong@cooley.com)  
3 KAREN L. BURHANS (303290) (kburhans@cooley.com)  
AMY M. SMITH (287813) (amsmith@cooley.com)  
4 101 California Street, 5th Floor  
San Francisco, CA 94111-5800  
5 Telephone: (415) 693-2000  
Facsimile: (415) 693-2222

6  
7 Attorneys for Defendant  
GOOGLE INC.

8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12  
13 DANIEL MATERA, as an individual, and on  
behalf of the other persons similarly situated,

14 Plaintiff,

15 v.

16 GOOGLE INC.,

17 Defendant.  
18

Case No. 5:15-cv-04062-LHK

**STIPULATION AND [PROPOSED] ORDER  
TO EXTEND TIME TO RESPOND TO  
INITIAL COMPLAINT (CIVIL L.R. 6-1(A));  
STIPULATED REQUEST TO SET THE  
HEARING DATE (CIVIL L.R. 6-2)**

Judge: Hon. Lucy H. Koh  
Trial Date: Not yet set

1 Pursuant to Civil Local Rules 6-1(a) and 6-2, plaintiff Daniel Matera (“Plaintiff”) and  
2 defendant Google Inc. (“Google”) (collectively “the Parties”), by and through their respective  
3 counsel, stipulate and agree as follows:

4 WHEREAS, Plaintiff filed a putative class action lawsuit against Google on or about  
5 September 4, 2015;

6 WHEREAS, Google’s deadline to respond to the Complaint is September 29, 2015;

7 WHEREAS, under Civil Local Rule 6-1(a), the Parties may stipulate in writing, without a  
8 Court order, to extend the time within which to answer or otherwise respond to the Complaint,  
9 provided the change will not alter any deadline already fixed by Court order;

10 WHEREAS the Parties have stipulated under Civil Local Rule 6-1(a) to a filing and  
11 briefing schedule for Google’s response to the Complaint as set forth below;

12 WHEREAS, the Initial Case Management Conference in this matter was set for December  
13 9, 2015 (Dkt. No. 4);

14 WHEREAS, upon reassignment to this Court, the Initial Case Management Conference  
15 was rescheduled to January 27, 2016 (Dkt. No. 15);

16 WHEREAS, the Parties have conferred and agreed to request that the hearing on  
17 Defendant’s anticipated motion to dismiss the Complaint be scheduled for the same date as the  
18 Initial Case Management Conference;

19 WHEREAS, no prior time modifications have been sought in this case;

20 WHEREAS, this modification would not affect the case schedule as none has been  
21 entered.

22 NOW THEREFORE, the Parties hereby stipulate and agree to extend the following  
23 deadlines:

- 24 1. October 29, 2015: Google’s deadline to respond to the Complaint;
- 25 2. December 4, 2015: Plaintiff’s Opposition due;
- 26 3. December 22, 2015: Google’s Reply due;

27 FURTHER, the Parties hereby stipulate and request that the hearing for Google’s  
28 anticipated motion to dismiss the Complaint be scheduled for January 27, 2016, the same date as

1 the Initial Case Management Conference.

2  
3  
4 **IT IS SO STIPULATED.**

5  
6 Dated: September 25, 2015

COOLEY LLP

7 /s/ Whitty Somvichian

8 Whitty Somvichian (194463)

Attorneys for Defendant Google Inc.

9  
10 Dated: September 25, 2015

LIEFF CABRASER HEIMANN  
& BERNSTEIN, LLP

11 /s/ Nicole D. Sugnet

12 Nicole D. Sugnet (246255)

Attorneys for Plaintiff

13  
14  
15 *Filer's Attestation: Pursuant to Civil Local Rule 5-1(i)(3)) regarding signatures, Whitty*  
16 *Somvichian hereby attests that concurrence in the filing of this document has been obtained.*

17 **PROPOSED ORDER**

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

19  
20 DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Lucy H. Koh  
United States District Judge

21  
22  
23 121551990